

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION**

DIANA MEY, individually and on behalf of a class
of all persons and entities similarly situated,

Plaintiff,

vs.

Case No. 5:15-CV-00027-JPB

PATRIOT PAYMENT GROUP, LLC and
NORTH AMERICAN BANCARD, LLC,

Hon. John Preston Bailey

Defendant,

**Plaintiff's Unopposed Motion for Preliminary Approval of
Settlement and Entry of Scheduling Order**

Plaintiff Diana Mey (“Plaintiff”), on behalf of the Class of individuals she seeks to represent, respectfully submits this Unopposed Motion for Preliminary Approval of Settlement and Entry of Scheduling Order. As is set forth more fully in the accompanying Memorandum in Support, the Plaintiff and Defendants Patriot Payment Group, LLC (“PPG”) and North American Bancard, LLC (“NAB”) (together, the “Defendants,” and together with the Plaintiff, the “Parties”), have reached a preliminary settlement that is subject to this Court’s approval and the terms of which are set out in a written settlement agreement (the “Settlement Agreement”). Plaintiff respectfully submits that the terms of the proposed settlement are fair, adequate, and reasonable, and merit the Court’s approval. The Settlement will create a common fund of \$3,700,000, from which class members will receive a *pro rata* share, after deductions for attorneys’ fees, costs, a class representative incentive award, class administration expenses, and any other cost determined by the Court. Considering the risks of continued litigation and the potential for appellate delay, this is an excellent outcome for class members.

Plaintiff therefore respectfully requests that the Court enter an Order (1) preliminarily approving the terms of the Parties' Settlement Agreement and, and (2) establishing a schedule for effectuating the Settlement. Defendants have agreed to the proposed order of preliminary approval attached to this motion.

Respectfully submitted,

Plaintiff,
By Counsel

s/ John W. Barrett

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CERTIFICATE OF SERVICE

I, John W. Barrett, hereby certify that on April 4, 17, I caused to be filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/ John W. Barrett

John W. Barrett